

**115-7-1. Fishing; legal equipment, methods of taking, and other provisions.** (a) Legal equipment and methods for taking sport fish shall be the following:

(1) Fishing lines with not more than two baited hooks or artificial lures per line;

(2) trotlines, except that any float material used with a trotline shall be constructed only from plastic, wood, or foam and shall be a closed-cell construction. A "closed-cell" construction shall mean a solid body incapable of containing water;

(3) setlines, except that any float material used with a setline shall be constructed only from plastic, wood, or foam and shall be a closed-cell construction. A "closed-cell" construction shall mean a solid body incapable of containing water;

(4) tip-ups;

(5) using a person's hand or hands for flathead catfish in waters designated as open to hand fishing, subject to the following requirements:

(A) An individual hand fishing shall not use hooks, snorkeling or scuba gear, or other man-made devices while engaged in hand fishing;

(B) an individual hand fishing shall not possess fishing equipment, other than a stringer, while engaged in hand fishing and while on designated waters or adjacent banks;

(C) stringers shall not be used as an aid for hand fishing and shall not be used until the fish is in possession at or above the surface of the water;

(D) each individual hand fishing shall take fish only from natural objects or natural cavities;

(E) an individual hand fishing shall not take fish from any man-made object, unless the object is a bridge, dock, boat ramp, or riprap, or other similar structure or feature;

(F) no part of any object shall be disturbed or altered to facilitate the harvest of fish for hand

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fishing; and

(G) an individual hand fishing shall not take fish within 150 yards of any dam;

(6) snagging for paddlefish in waters posted or designated by the department as open to the snagging of paddlefish, subject to the following requirements:

(A) Each individual with a filled creel limit shall cease all snagging activity in the paddlefish snagging area until the next calendar day;

(B) each individual taking paddlefish to be included in the creel and possession limit during the snagging season shall sign the carcass tag, record the county, the date, and the time of harvest on the carcass tag, and attach the carcass tag to the lower jaw of the carcass immediately following the harvest and before moving the carcass from the site of the harvest; and

(C) each individual snagging for paddlefish shall use barbless hooks while snagging for paddlefish. "Barbless hook" shall mean a hook without barbs or upon which the barbs have been bent completely closed;

(7) floatlines in waters posted or designated by the department as open to floatline fishing, which shall be subject to the following requirements:

(A) All floatlines shall be under the immediate supervision of the angler setting the floats. "Immediate supervision" shall mean that the angler has visual contact with the floatlines set while the angler is on the water body where the floatlines are located;

(B) all floatlines shall be removed when float fishing ceases;

(C) floatlines shall not contain more than one line per float, with not more than two baited hooks per line;

(D) all float material shall be constructed only from plastic, wood, or foam and shall be a closed-

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cell construction. A "closed-cell" construction shall mean a solid body incapable of containing water;

- (8) bow and arrow with a barbed head and a line attached from bow to arrow; and
- (9) crossbow and arrow with a barbed head and a line attached from arrow to crossbow.

(b) Legal equipment and methods for taking non-sport fish shall be the following:

- (1) Fishing lines with not more than two baited hooks or artificial lures per line;
- (2) trotlines;
- (3) setlines;
- (4) tip-ups;
- (5) bow and arrow with a barbed head and a line attached from bow to arrow;
- (6) crossbow and arrow with a barbed head and a line attached from arrow to crossbow;
- (7) spear gun, without explosive charge, while skin or scuba diving. The spear, without explosive charge, shall be attached to the speargun or person by a line;
- (8) gigging;
- (9) snagging in waters posted by the department as open to snagging; and
- (10) floatlines in waters posted or designated by the department as open to floatline fishing,

which shall be subject to the requirements specified in paragraphs (a)(7)(A) through (D).

(c) Dip nets and gaffs may be used to land any legally caught or hooked fish.

(d) Fish may be taken by any method designated by the secretary when a fish salvage order has been issued by the secretary through public notice or posting the area open to fish salvage.

(e) Fish may be taken with the aid of boats, depth finders, artificial lights, sound attracters, and scents.

(f) Fish may be taken by legal means from vehicles.

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(g) The following additional requirements shall apply in the flowing portions and backwaters of the Missouri river and in any oxbow lake through which the Kansas-Missouri boundary passes:

(1) Each individual shall place all legally caught fish on a stringer, cord, cable, or chain, or in a basket, sack, cage, or other holding device, separate from those fish caught by any other individual.

(2) The equipment and methods specified in paragraphs (b)(5) and (b)(6) shall be legal only from sunrise to midnight.

(3) The equipment and method specified in paragraphs (b)(9) and (b)(10) shall be legal only from sunrise to sunset.

(h) The equipment and method specified in paragraphs (a)(8) and (a)(9) shall be legal, except on rivers and streams, only for the following species of sport fish where no size limit exists for any of these species of fish:

(1) Blue catfish;

(2) channel catfish; and

(3) flathead catfish.

(i) Optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light shall be valid for use on bows and crossbows.

(Authorized by and implementing K.S.A. 2018 Supp. 32-807; effective Dec. 26, 1989; amended Feb. 10, 1992; amended Oct. 1, 1999; amended Dec. 8, 2000; amended Sept. 27, 2002; amended Nov. 29, 2004; amended Nov. 27, 2006; amended Nov. 16, 2007; amended Dec. 1, 2008; amended Nov. 20, 2009; amended April 16, 2010; amended Nov. 19, 2010; amended Nov. 30, 2015; amended Nov. 28, 2016;

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amended Dec. 22, 2017; amended Jan. 11, 2019; amended P-\_\_\_\_\_.)

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**Kansas Administrative Regulations  
Economic Impact Statement  
For the Kansas Division of the Budget**

KDWPT  
Agency

Christopher J Tymeson  
Agency Contact

785-296-1032  
Contact Phone Number

K.A.R. 115-7-1  
K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to: Division of the Budget  
900 SW Jackson, Room 504-N  
Topeka, KS 66612

**I. Brief description of the proposed rule(s) and regulation(s).**

This proposed amendments to the regulation would require closed-cell construction for trotline float material, the same as setlines, to prevent movement of invasive species.

**II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. (If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)**

This is not a federal mandate. Colorado, Nebraska, Missouri and Oklahoma all manage sport fish take by various means and methods and locations.

**III. Agency analysis specifically addressing following:**

**A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;**

The proposed amendments will not enhance or restrict business activities or growth.

**B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;**

The proposed amendments will have no economic effect on any sector.

**C. Businesses that would be directly affected by the proposed rule and regulation;**

None.

**D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;**

The purpose of the proposed change is to reduce possible vectors for the movement of invasive species.





- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;**

There will be some costs associated with this proposal for individuals who use float material with trotlines but any amount is purely speculative.

- F. An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.**

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**An estimate, expressed as a total dollar figure, of the total implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.**

There will be some costs associated with this proposal for individuals who use float material with trotlines but any amount is purely speculative.

**Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?**

YES  NO

**Give a detailed statement of the data and methodology used in estimating the above cost estimate.**

There will be some costs associated with this proposal for individuals who use float material with trotlines but any amount is purely speculative.

**Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.**

YES  NO

The agency held public hearings on this regulation on April 25 in Colby, where 5 members of the public signed the attendance roster, on June 13 in Salina, where 5 members of the public signed the attendance roster and will hold meetings on August 15 in Overland Park, September 19 in Great Bend, and November 14 in Scott City.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas**

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**Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.**

Not applicable.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

News releases to every newspaper in the state, discussion at prior public hearings and meetings which are broadcast online, publication in the Kansas Register and publication on the Department's website.

- I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).**

Not applicable.

